

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25438 of 2012 (O&M)

Date of Decision: 18.10.2016

Taro Devi

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Pankaj Mohan Kansal, Advocate for the petitioner

Ms.Shruti Jain Goyal, AAG, Haryana

Mr.Brijender Kaushik, Advocate for respondent no.4

RAJIV NARAIN RAINA, J. (Oral)

A pot cannot call a kettle black. The challenge to the selection of the 4th respondent is on the ground that she does not have the requisite experience obtained from a recognized institution. One of the prayers in the writ petition is to declare that the experience certificate issued by a private deed writer to the 4th respondent who worked for him for the period claimed and certified cannot be given weightage for the purpose of awarding marks towards the criteria for determining merit to select and appoint the private respondent to a government post. The 4th respondent's experience certificate has been issued by a deed writer with whom she worked from 10th July, 2008 to 15th August, 2010 as a Hindi Typist.

A look at the experience certificate (Annex. P-1) which the petitioner has relied on for himself has been issued by the “Sahni Typing School, Shahzadpur, District Ambala”. This does not appear to be issued by a recognized institution and stands in quality on near about the same footing as the experience

certificate produced by the 4th respondent. The advertisement inviting application did not require experience to be earned from a government or recognized institution imparting instruction in typing or shorthand. As per the advertisement, such experience certificates as possessed by both are acceptable and so long as they are genuine cannot be invalidated and were thus required to be taken into consideration and the candidates assigned marks according to the length of experience carrying marks according to the number of years and one certificate cannot be considered better than the other or either of them to be disregarded. The minimum experience required for eligibility was two years [maximum 5 years] which the 4th respondent possessed. The petitioner has remained unsuccessful and has turned around after the result to challenge the selection on flimsy grounds. I find no reason to interfere in the selection of the 4th respondent. Besides, no bias or mala fide is alleged against the recruiting agency.

In view of the above, I find no merit in this writ petition which is accordingly dismissed.

(RAJIV NARAIN RAINA)
JUDGE

18.10.2016
MFK

Whether speaking/reasoned

Yes

Whether Reportable

No